

REMARKS

This Amendment and Response is submitted in reply to the Office Action mailed on July 1, 2005, and accompanies a Petition to Revive / Withdraw Holding of Abandonment. No new matter has been added by any of the amendments or submissions made herein.

The specification was objected to as the Abstract exceeded 150 words. The Abstract has been appropriately amended.

Claims 1-14 are pending in this application. All claims have been rejected under the judicially created doctrine of Double Patenting in view of claims 9-22 of co-pending USSN 10/469,771, which will referred to herein as the '771 application. Applicant respectfully traverses this rejection as Applicant believes the claims of the two applications are patentably distinct from each other.

Specifically, claim 1 of the present application is directed towards a method for manufacturing an electroluminescent element comprising: 1) a heterochromatic light element layer forming process, 2) a photoresist layer for the heterochromatic light emitting layer forming process, 3) a photoresist layer for the heterochromatic light emitting layer patterning process, 4) a heterochromatic light emitting part forming process, 5) a protecting layer for the heterochromatic light emitting layer forming process, and 6) a protecting for the heterochromatic light emitting layer patterning process. See claim 1 and Figs. 1A to 1N.

In comparison, the '771 application's claim 9 is directed towards a method for manufacturing an electroluminescent element comprising: 1) a heterochromatic light emitting layer forming process, 2) a photo resist layer for the heterochromatic light emitting layer forming

process, 3) a photoresist layer for the heterochromatic light emitting layer patterning process, and 4) a heterochromatic light emitting part forming process. See Figs. 1A to 1J.

To be more specific, the listed points 5 and 6 of claim 1 of the present application are not included in the claims of the '771 application: the protecting layer for the heterochromatic light emitting layer forming process and the protecting layer for the heterochromatic emitting layer patterning process.

In the present invention, the following advantageous effect can be achieved since the protecting layer is formed so as to cover each light emitting part and the end part thereof. That is, when subsequently forming the other kinds of light emitting parts, a problem of the elution of the light emitting part from the end part into the light emitting layer for forming the other kinds of the light emitting parts can be prevented so that a problem of color mixture or pixel narrowing can be prevented (lines 15-23, page 8 of the specification).

The cited reference, however, does not disclose any description at all that the protecting layer is formed to cover the light emitting part and the other end part thereof in order to prevent elution, color mixture, or pixel narrowing.

From Figs. 1A to 1E of the cited reference, one may argue that the first photoresist layer 4 is protecting the first light-emitting portion 3 when the second light-emitting layer 5 is patterned because the first photoresist layer 4 is formed on the first light-emitting portion 3. One may also argue from Figs. 1E to 1I of the cited reference that the first photoresist layer 4 is protecting the first light-emitting portion 3 and the second photoresist layer 4' is protecting the second light-emitting portion 5' when the third light-emitting layer 7 is patterned because the first photoresist layer 4 is formed on the first light-emitting portion 3 and the second photoresist

layer 4' is formed on the second light-emitting portion 5'. The photoresist layers, however, are formed to pattern the light-emitting portions. Accordingly, the locations of the end parts for the light-emitting portions and that of the photoresist layers coincide with each other. Thus, the above-mentioned unique and advantageous effect cannot be achieved by the mere fact that the photoresist layer is formed on the light-emitting portion. Therefore, the present invention is not obvious in view of the cited reference.


Furthermore, the respective methods for manufacturing an EL element recited in claims 1-14 of the present application also have the process of forming a protecting layer to cover the light emitting part and the end part. Therefore, the above-mentioned advantageous effect of claim 1 will also be achieved by the inventions recited in claims 2 to 14.

For at least these reasons, claims 1 to 14 of the present application are novel and non-obvious in light of the cited reference. It is believed that each rejection and objection is successfully overcome. Accordingly, Applicants respectfully request reconsideration of the patentability of claims 1-14, that the claims be deemed allowable at this time, and that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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